REMARKS

Claims 1-15 remain pending in this application for which applicant seeks reconsideration. Claims 4, 5, 9, 10, 14, and 15 remain withdrawn.

Amendment

Claims 1, 2, 6-8, and 11-15 have been amended to further improve their form and clarity. Specifically, independent claims 1, 6, and 11 have been amended to positively define that the image processing apparatus receives a download start request for resource data used for a print job and then downloads the resource data. These claims further define the control feature of, when the communication unit receives the download start request for the resource data from one of the plurality of information processing apparatuses and the determination unit determines that the received print job exists in the storage unit, controlling the communication unit to inform the one information processing apparatus from which the communication unit has received the download start request for the resource data that downloading of the resource data is not possible. See step S7200 or S8110 for support.

The medium claims also have been positively recite that the medium is non-transitory. No new matter has been introduced.

Art Rejection

Claims 1-3, 6-8, and 11-13 remain rejected under 35 U.S.C. § 103(a) as unpatentable over Ikeno (USP 7,154,617) in view of Holmstead (USPGP 2004/0024844). The examiner essentially repeated the arguments made in the previous Office Action, without further elaborating or fully addressing applicant's argument that downloading refers to the downloading of the resource data (e.g., fonts) rather than a print job itself. The examiner, however, in response to applicant's argument explains that Holmstead's print elements are components of a document, namely data for the print job rather than the print job, and argues that print elements, such as photos, images, and fonts are all part of a print job since it requires these data to complete it.

Independent claims 1, 6, and 11 now positively defines that an image processing apparatus receives a download start request for resource data used for a print job and then downloads the resource data. These claims further call for the image processing apparatus to have a storage unit that stores at least one print job received from at least one of a plurality of information processing apparatuses and resource data used for the print job. These claims further call for:

(1)   receiving a download start request for resource data from one of the plurality of
        information processing apparatuses;

(2)   determining whether a print job received from at least one of the plurality of information
        processing apparatuses exists in the storage unit; and

(3)   when the download start request for resource data is received and the received print job
        exists in the storage unit, informing the one information processing apparatus from which
        the download start request for the resource data has been received that downloading of
        the resource data is not possible.

First, the examiner asserts that Ikeno's control device (213) is operable to control the
communication device to inform one of the plurality of information processing apparatuses that
downloading of the resource data is not possible, relying on Figs. 34 and 35, which depict how
the download data can be accept or canceled.

Applicant disagrees with the examiner's assessment of Ikeno because Ikeno explicitly
teaches that the printer (6, 7) **accepts** the resource data at the timing 3412 (see Fig. 34). That
is, the printer continues to receive the resource data although it stops receiving a new print job.
Therefore, there is no need to inform that the resource data cannot be received. Indeed,
referring to Ikeno's Figs. 34 and 35, the printer 6, 7 monitors whether a print job exists when it
receives the resource data, while the print job remains in a print queue buffer 3415. Ikeno
stores the resource data in a storage area 3419 in response to dequeue the print job from the
print queue buffer 3415. As seen from Fig. 34, as the printer accepts the resource data at the
timing 3412, before sending a print job acceptance stop instruction at the timing 3414.
Consequently, the printer never informs that the resource data cannot be downloaded.

As explained in the previous reply, while Ikeno discloses determining whether the print
job exists in the print queue buffer 3415 in response to reception of the data sent to the
resource port, Ikeno does not disclose or teach that the resource port 3411 receives a download
start request for resource data, and notifies the client PC, from which the data sent to the
resource port has been received, that downloading of data is not possible when a print job
exists in the print queue buffer 3415. That is, Ikeno fails to disclose or teach claimed features
(1) and (3) identified above.

Second, the examiner asserts that Holmstead's control device is operable when the
received print job exists in the storage device to inform the one information processing
apparatus from which the communication device has received the download start request for
resource data that downloading of the resource data is not possible (or necessary), relying on

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paragraphs 47, 51 and Fig. 4. According to the examiner, downloading is not necessary since the printer job already exists in the storage of the printing device.

As seen from Holmstead's Fig. 4, when a print job ticket 500 is received and a print job element 504 (storage unit) already exists in a local memory 302, the printer 100 retrieves the print job element from the local memory 302 (at 410). In Holmstead, the printer never informs the remote site that the print job element cannot be downloaded if the printer does not download the print job element from the remote site. Rather, Holmstead merely calls for the printer to retrieve the print job element from the storage unit, and compile it.

Accordingly, even if the print job element were deemed to correspond to the claimed resource data for argument's sake, Holmstead merely discloses not downloading the resource data if the resource data exists in the storage unit. That feature simply does not correspond to the communication features (1) and (3) of the independent claims identified above. Applicant submits that Holmstead would not have cured Ikeno's shortcomings noted above, even if the combination urged by the examiner is deemed proper for argument's sake,.

Conclusion

Applicant submits that claims 1-3, 6-8, and 11-13 patentably distinguish over the applied references and are in condition for allowance. Should the examiner have any issues concerning this reply or any other outstanding issues remaining in this application, applicant urges the examiner to contact the undersigned to expedite prosecution.

Respectfully submitted,

ROSSI, KIMMS & McDOWELL LLP

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DATE   LYLE KIMMS, REG. NO. 34,079

20609 GORDON PARK SQUARE, SUITE 150
ASHBURN, VA 20147
703-726-6020 (PHONE)
703-726-6024 (FAX)